**Statement**

*Particulars of Puine Judges Transferred from one High Court to another during the year* 1991, 1992 *and* 1993

| S1. No. | Name of the Judge | Transferred | |
|---|---|---|---|
| | | From | T |
| | S/Shri Justice | | |
| | 1991 | | |
| 1 | D.J.J. Raju | Kerala | Andhra Pardesh |
| 2 | M.P. Kenia | Bombay | Allahabad |
| 3 | G.D. Cuttal | Bombay | Kerala |
| 4 | K.M. Pandey | Allahabad | Madhya Pradesh |
| 5 | K. Sukumaran | Kerala | Bombay |
| 6 | B.M. Lal | Madhya Pradesh | Allahabad |
| 7 | B.P. Singh | Karnataka | Patna |
| 8 | B.P. Saraf | Gauhati | Bombay |
| | 1992 | | |
| | —Nil. | | |
| | 1993 | | |
| 1 | S. Sagir Ahmad | Allahabad | Jammu & Kashmir |
| 2 | R.P. Sethi | Jammu & Kashmir | Punjab & Haryana |
| 3 | G.T. Nanavati | Gujarat | Orissa |

**Pending cases in different High Courts**

1455. SHRI V. GOPALSAMY : Wil! the PRIME MINISTER be pleased to state :

(a) what is the number of cases pending before each High Courts as on date, categorywise ; out of them how many are three, five and ten years old ;

(b) how many vacancies occurred during the last three years, date of each vacancy and the date on which each vacancy was filled in ;

(c) the number of vacancies of Chief Justices in the country as on date and the details of each vacancy and when each will be filled in ;

(d) whether Government would consider the observations made in recent Judge's case while filling the vacancies in High Courts and

(e) the steps taken to reduce the pendency of cases in each High Court and imp-rove their functioning ?

, THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND ! COMPANY AFFAIRS (SHRI H. R. BHARDWAJ) : (a) and (b) The available information is given in Annex ures enclosed [Appendix 170 Annexure No. 29 and 30].

(c) As on 01-03-1994, there were 2 vacancies of Chief Justices in the following High Courts from the dates indicated against each :

1. Allahabad High Court 09-01-1993

2. Guwahati High Court 02-02-1994

The process of consultation among the Constitutional authorities for filling up these vacancies is on. It is not possible to indicate the time when these would be filled in.

(d) The observations made by the 9 Judges Bench of the Supreme Court in their Judge* ment dated 06-10-93 in Writ petition (CMD No. 1303 of 1987-Supreme Court advocate"-on-Record Association and Anr. Vs. Union

of India for filling up vacancies in the High Courts are kept in view at the time of processing proposals for the appointment of Judges in the High Courts.

(e) In order to consider the problem of arrears of cases in courts and find out ways and means to deal with it as expeditiously al possible, a meeting of the Chief Ministers and Chief Justices of the High Courts was held on 4th December, 1993 under the Chairmanship of prime Minister. The resolutions adopted in the Conference have been commended to all the State Governments/UT Administrations and High Courts for necessary action. The administaration of Justice has been made a Plan item with a view to remove infrastructural bottlenecks coming in the way of expeditious disposal of cases.

**इलाहाबाद उच्च न्यायालय में न्यायाधीशों के रिक्त पद**

1456. श्री सत्य प्रकाश मालवीय : क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि :

(क) 31 जनवरी, 1994 की स्थिति के अनुसार इलाहाबाद उच्च न्यायालय में न्यायाधीशों के रिक्त पदों की कुल संख्या कितनी है,

(ख) प्रत्येक पद किस-किस तारीख से रिक्त हैं, और

(ग) इन रिक्तियों के कब तक भरे जाने की संभावना है ?

विधि, न्याय और कंपनी कार्य मंत्रालय में राज्य मंत्री (श्री हंसराज भारद्वाज) : (क) और (ख) 31 जनवरी, 1994 को इलाहाबाद उच्च न्यायालय में न्यायाधीशों के स्वीकृत 70 स्थायी पदों में से 69 पदों पर न्यायाधीश आसीन थे और स्थायी न्यायाधीश का एक पद रिक्त था। यह पद 1-11-1993 से रिक्त है। इसके अतिरिक्त, अपर न्यायाधीशों के 7 पद अनुमोदित कर दिए गए हैं और उन्हें नियुक्ति के समय पर मंजूर किया जाएगा।

(ग) इलाहाबाद उच्च न्यायालय में, विद्यमान रिक्तियों को भरने के लिए सम्बद्ध संवैधानिक प्राधिकारियों के बीच परामर्श की प्रक्रिया चल रही है। तथापि, यह बताना संभव नहीं है कि विद्यमान रिक्तियों को कब तक भरे जाने की संभावना है।

**Implementation of transfer policy of Judges**

1457. SHRI S. S. SURJEWALA : Will the PRIME MINISTER be pleased to state :

(a) whether the Supreme Court Government have started implementing the transfer policy for judges of various High Courts; if so, the number and names of Judges together with the courts to which they were posted during the last three years ;

(b) whether the criteria is being uniformly followed in each case ; and

(c) what criteria was followed in the transfer of Justice S. S. Sodhi, the Judge of Haryana High Court to Allahabad High Court ?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. BHARDWAJ) : (a) and (b) Transfer of Judges from one High Court to another is made on the recommendation of the Chief Justice of India in terms of Article 222 of the Constitution of India.

The Government have accepted as a policy, recommendations of the Law Commission in its 80th Report that there should be a convention according to which l/3rd of Judges in each High Court should be from any other State. The Government have decided that this may be implemented either by making initial appointments from outside or by effecting transfers. The particulars of puisne Judges who have been transferred from one High Court to another in 1991, 1992 and 1993 are given in the enclosed Statement *(See* below).

(c) Transfer of Shri Justice S. S. Sodhi from Punjab & Haryana High Court to Allahabad High Court was made on the recommendations of the Chief Justice of India in terms of Article 222 of the Constitution of India.